

## FORM 32. Response to Notice to Advise of Scheduling Conflicts

Form 32  
March 2023

**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

**RESPONSE TO NOTICE TO ADVISE OF SCHEDULING CONFLICTS**

**Case Number:** 24-1627, 2024-1628, 2024-1631, 2024-1632, 2024-1633, 20

**Short Case Caption:** WAG Acquisition, LLC v. Walt Disney Company

**Party Name(s):** Amazon.com, Inc., Amazon Web Services, Inc., Amazon.c

**INFORMATION:** The court uses this form to determine whether and when to schedule cases for oral argument. Arguing counsel may be changed later, but a motion to reschedule is required once the court schedules argument. Please plan in advance to adhere to the limit on the number of arguing counsel in Fed. Cir. R. 34(e).

**Argument Waiver**  My party intends to waive oral argument.

NOTE: Filers checking this box must still complete the below sections. **The court may still schedule this case for oral argument even if any party intends to waive argument.** If scheduled, parties may still elect to waive argument using the response to notice of oral argument form.

**Other Parties Representing Interests**

Counsel for another party will represent my party's interests at oral argument

NOTE: If this box is checked, skip the remaining sections. Any argument date will be selected based on conflict dates for counsel arguing on behalf of your party.

|   |                 |
|---|-----------------|
| <b>Name of Expected Arguing Counsel</b> | J. David Hadden |
|---|-----------------|

**Dates Unavailable**

Do you have dates of unavailability within the specific sessions identified by the court's Notice to Advise of Scheduling Conflicts in your case?

Yes       No

If yes, attach a separate sheet listing **up to ten dates** of unavailability and **include a statement showing good cause for each date**. Dates without good cause or that do not pertain to arguing counsel (e.g., client conflicts) will not be accepted. The court will only accept dates for one counsel and only if that counsel has filed an entry of appearance. The Clerk's Office will evaluate and note accepted or rejected conflict dates; counsel may contact the Clerk's Office about re-filing if dates are rejected. See Fed. Cir. R. 34(d); Practice Notes to Rule 34.

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**Potential Case Conflicts**

Are there other pending cases before this court (regardless of case status) in which expected arguing counsel in this case also expects to argue?

Yes       No

If yes, attach a separate sheet listing those cases.

I certify the above information and any attached statement is complete and accurate. I further certify that I will update my notice should new conflicts arise or existing conflicts change.

Date: 03/28/2025

Signature: /s/ J. David Hadden

Name: J. David Hadden

No. 2024-1627, 2024-1628, 2024-1631, 2024-1632, 2024-1633, 2024-1634

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United States Court of Appeals  
For the Federal Circuit

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WAG ACQUISITION, LLC

*Appellant,*

v.

THE WALT DISNEY COMPANY, DISNEY STREAMING SERVICES, LLC,  
HULU, LLC, NETFLIX, INC., GOOGLE LLC, AMAZON.COM, INC.,  
AMAZON WEB SERVICES, INC., AMAZON.COM SERVICES LLC

*Appellees.*

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Appeals from the United States Patent and Trademark Office, Patent Trial  
and Appeal Board in Nos. IPR2022-01227, IPR2022-01228,  
IPR2022-1412, IPR2022-01413, IPR2022-01430, IPR2022-01433

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**APPELLEES' STATEMENT OF GOOD CAUSE  
FOR SCHEDULING CONFLICTS**

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March 28, 2025

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Counsel for Appellees

*Amazon.com, Inc., Amazon Web Services,  
Inc., and Amazon.com Services LLC*

Counsel for Appellees Amazon.com, Inc., Amazon Web Services, Inc., and Amazon.com Services LLC (collectively, “Amazon”) provides this Statement of Good Cause in support of the Response to Notice to Advise of Scheduling Conflicts for the Court’s sessions from June through November 2025.

Counsel for Amazon has the following conflicts:

- October 7-9, 2025: Counsel is scheduled to act as lead counsel at a *Markman* hearing on October 8, 2025, in *AlmondNet v. Amazon.com, Inc.*, No. 6:21-cv-00898-ADA, currently pending before the United States District Court for the Western District of Texas. Counsel will be required to travel to Texas on October 7 and return on October 9.

Good cause therefore exists for the Court not to schedule oral argument for October 7 through 9, 2025.

Counsel also has a potential conflict as he intends to argue the following matters currently before this Court:

- *Ceiva OpcO, LLC v. Amazon.com, Inc.*, No. 24-1721 (Fed. Cir.)
- *TrackTime, LLC v. Amazon.com Services LLC*, No. 24-1102 (Fed. Cir.)
- *AlterWAN, Inc. v. Amazon.com, Inc.*, No. 25-1285 (Fed. Cir.)

Respectfully submitted,

March 28, 2025

FENWICK & WEST LLP

By: /s/ J. David Hadden  
J. David Hadden

*Counsel for Appellees*  
*Amazon.com, Inc., Amazon Web Services,*  
*Inc., and Amazon.com Services LLC*

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on March 28, 2025, I caused the foregoing **APPELLEES' STATEMENT OF GOOD CAUSE FOR SCHEDULING CONFLICTS** to be served on the following parties as indicated below:

|   |   |
|---|---|
| Ronald Abramson<br>Ari J. Jaffess<br>LISTON ABRAMSON LLP<br>The Chrysler Building<br>405 Lexington Ave., 46 <sup>th</sup> Flr.<br>New York, NY 10174<br><br>Attorneys for Appellant<br>WAG Acquisition, LLC | <input type="checkbox"/> By United States Mail<br><input type="checkbox"/> By Legal Messenger<br><input checked="" type="checkbox"/> <b>By Electronic CM/ECF</b><br><input type="checkbox"/> By Overnight Express Mail<br><input type="checkbox"/> By Facsimile<br><input type="checkbox"/> By Email<br>ron.abramson@listonabramson.com<br>ari.jaffess@listonabramson.com |
| Eamonn Gardner<br>Orion Armon<br>COOLEY LLP<br>1144 15 <sup>th</sup> St., Ste. 2300<br>Denver, CO 80202<br><br>Heidi Lyn Keefe<br>COOLEY LLP<br>3175 Hanover St.<br>Palo Alto, CA 94303                     | <input type="checkbox"/> By United States Mail<br><input type="checkbox"/> By Legal Messenger<br><input checked="" type="checkbox"/> <b>By Electronic CM/ECF</b><br><input type="checkbox"/> By Overnight Express Mail<br><input type="checkbox"/> By Facsimile<br><input type="checkbox"/> By Email<br>egardner@cooley.com<br>oarmon@cooley.com<br>hkeefe@cooley.com     |
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Streaming Services LLC; Hulu, LLC;  
Netflix, Inc.

[ ] By United States Mail  
[ ] By Legal Messenger  
**[X] By Electronic CM/ECF**  
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